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Response under 37 C.F.R. 1.116
Expedited Procedure Requested
Examining Group. 1651
Attorney Docket No. P21252

In re application of : S. HASHIMOTO et al.

Application No. : 09/868,924

Filed : January 20, 2000

For : PROCESS FOR PRODUCING HMG-CoA REDUCTASE INHIBITORS

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Group Art Unit: 1651

Examiner: I. Marx

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U.S. Patent and Trademark Office
220 20th Street S.
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202
Sir:

Transmitted herewith is an **Amendment under 37 C.F.R. 1.116** in the above-captioned application.

_____ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

_____ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☒ A Request for Extension of Time.

_____ No additional fee is required.

☒ Dendrogram illustrating the genetic distance of the art microorganisms and the claimed microorganisms.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 8	*20	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 1	**3	0	x 43=	\$	x 86=	\$0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$0.00
Extension Fees for Two Month(s)				\$		\$420.00
Total:				\$	Total:	\$420.00

* If less than 20, write 20

** If less than 3, write 3

_____ Please charge my Deposit Account No. 19-0089 in the amount of \$_____.

☒ A check in the amount of \$420.00 to cover the *filing/extension* fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Bruce H. Bernstein
Reg. No. 29,027
3/12/06



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shin-ichi HASHIMOTO et al.

Group Art Unit: 1651

Appl. No. : 09/868,924

Examiner: Irene Marx

I.A. Filed : January 20, 2000

For : PROCESS FOR PRODUCING HMG-CoA REDUCTASE INHIBITORS

**RESPONSE UNDER 37 C.F.R. § 1.116
AND REQUEST FOR WITHDRAWAL OF FINALITY**

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop ____
Crystal Plaza Two, Lobby, Room 1B0
Arlington, VA 22202

Sir:

In response to the Office Action mailed April 14, 2004, reconsideration and withdrawal of the rejections made therein are respectfully requested, in view of the following amendments and remarks. Inasmuch as the three-month shortened statutory period is originally set in the Office Action to expire on July 14, 2004, this Response is being filed together with a Request for Extension of Time for 2 months, expiring on September 14, 2004, with all required fees. The Commissioner is hereby authorized to charge any fee deficiency, credit any overpayment or charge any fees necessary to preserve the pendency of this application to deposit account No. 19-0089.

In response to the Office Action, please amend the above-identified application as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 6 of this paper.

Remarks begin on page 14 of this paper.